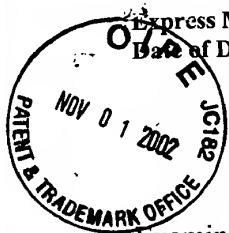


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Date of Deposit: November 1, 2002

PATENT APPLICATION
Attorney Docket No. 19313-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Robert Clinton Hayes, Ph.D.
Art Unit : 1647
Applicants : Lars Wahlberg *et al.*
Serial No. : 09/696,530 (Confirmation No.: 4889)
Filed : October 24, 2000
For : CULTURES OF GFAP⁺ NESTIN⁺ CELLS
THAT DIFFERENTIATE INTO NEURONS

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NOV 07 2002
TC 1700

November 1, 2002
New York, New York

Hon. Commissioner of Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the above-referenced patent application are the following documents:

- ☒ Amendment and Reply to Restriction [2 pgs.];
- ☒ Petition for Three-Month Extension of Time [1 pg.];
- ☒ Check No. 1272 in the amount of \$460.00; and
- ☒ Return postcard.
- ☒ A fee for additional claims is not required.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 212-935-3000, New York, New York. A duplicate copy of this transmittal letter is enclosed herein.

The Director is authorized to charge all fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No. 19313-004.

Respectfully submitted,

Scott Miller

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Scott D. Miller, Reg. No. 43,803
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PATENT TRADEMARK OFFICE

Dated: November 1, 2002

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AMENDMENT AND REPLY TO RESTRICTION REQUIREMENT

This is in response to the July 2, 2002 Restriction Requirement in the above-identified application. Applicants have petitioned herewith to extend the time for response to that action by three months, up to and including November 2, 2002, and have paid the required fee [37 C.F.R. §§ 1.136(a) and 1.17(a)(3)]. No other fee is believed due in connection with this response. However, the Director is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 19313-004.

THE RESTRICTION REQUIREMENT

The Examiner has identified eight groups from which applicants must elect:

- I. Claims 1-23 and 42-56, drawn to GFAP⁺ neuronal cell culture and method of making same.
- II. Claims 24-26, drawn to method of producing non-neuronal cells in culture.
- III. Claims 27-31, drawn to method of propagating a genetically modified GFAP⁺ neuronal cell.
- IV. Claims 32-33, drawn to a method of producing genetically modified non-neuronal cell.

- V. Claim 34, drawn to a method of transplanting cells to a patient.
- VI. Claims 35 and 36, drawn to a method of transplanting transformed cells to a patient.
- VII. Claims 37-40, drawn to methods of determining the effects of an agent on a cell culture.
- VIII. Claim 41, drawn to a cDNA library.

ELECTION

In response to the outstanding Restriction Requirement, applicants elect Group I, claims 1-23 and 42-56, drawn to GFAP+ neuronal cell cultures and methods of making same, classified in class 435, subclass 325. Applicants make this election without prejudice to their rights to traverse the restriction requirement with respect to non-elected groups.

CANCELLATION OF CLAIMS

Applicants kindly request the cancellation of claims 24-41, which are directed to non-elected subject matter. Applicants make the election of the Group I claims, and are requesting cancellation of the non-elected claims, expressly without waiver of their right to file for and obtain claims directed to the non-elected subject matter in divisional or continuing applications claiming priority and benefit herefrom under U.S.C. § 120.

CONCLUSION

Applicants request consideration and early allowance of the Group I claims.



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PATENT TRADEMARK OFFICE

Dated: November 1, 2002

Respectfully submitted,

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